

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT BLUEFIELD

UNITED STATES OF AMERICA

v.

CRIMINAL NO. 1:19-00221

ERIC CHILDRESS

MEMORANDUM OPINION AND ORDER

Pending before the court are the defendant's four motions in limine. ECF Nos. 15-18. The four motions are: (1) Motion in Limine to Exclude Other Evidence Outside the Indictment, ECF No. 15; (2) Motion in Limine to Prohibit Comparison of Disbursements, ECF No. 16; (3) Motion in Limine Regarding Violation of Other Statutes, ECF No. 17; and (4) Motion for Evidence Favorable to Defendant, ECF No. 18.

A pre-trial motions hearing as to the four outstanding motions was held on November 5, 2019. At the hearing, counsel for the government and the defendant stated that they had come to an agreement resolving the issues in the motions (1), (2), and (3). ECF Nos. 15-17. As such, these motions (1), (2), and (3), ECF Nos. 15-17, are **DENIED** as moot.

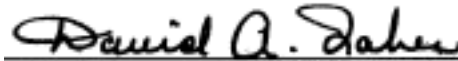
At the hearing, counsel for the government also represented that the government has turned over to the defendant all exculpatory material in the government's possession, and that the government will continue to do so should it become aware of new or additional evidence favorable to the defendant. The

court relies on the good faith of the government, and so **DENIES** the defendant's Motion for Evidence Favorable to Defendant, ECF No. 18.

The Clerk is directed to send a copy of this Memorandum Opinion and Order to all counsel of record, the United States Marshal for the Southern District of West Virginia, and the Probation Office of this court.

IT IS SO ORDERED this 5th day of November, 2019.

ENTER:

A handwritten signature in cursive script, reading "David A. Faber", is written over a horizontal line.

David A. Faber

Senior United States District Judge